

In addition to the fact that the basis for this opinion was premature, i.e., the fact that both Section 163 and H.R. 2989 are not law as yet, the Metro board held a meeting to change the language of its referendum ballot for Nov. 4 to further conform to these prohibitions that are not yet law. This ballot was then accepted by the Department of Transportation for compliance with federal regulations. Metro held 178 public and stakeholder meetings during its development of the Metro Solutions plan between December 2001 and July 2003.

The alternative plan backed by Metro Solutions opponents and formulated by the Houston-Galveston Area Council, the "100 Percent Solution" plan, is still in draft form and has not yet had specific public involvement for the additional 5,000 lane-miles on top of the already planned 5,600 lane-miles. In terms of economic benefits projected for Metro solutions, between \$130 million and \$200 million per year in regulatory costs will be saved to reduce pollution emissions.

The opponents of Metro solutions offer the 100 Percent plan as an alternative. However, it is not an alternative. First, unlike the Metro solutions plan, the 100 Percent plan is an unfinished study and not a plan at all. Secondly, Metro Solutions covers only a portion of the eight-county region, while the 100 Percent plan contemplates the incorporation of the Regional Transportation Plan, or RTP, which is a multimodal plan that covers the entire eight-county region. The RTP is not an alternative to Metro Solutions—it includes Metro Solutions. Also, unlike Metro Solutions, the 100 Percent plan is based on a wish list of regional road and transit projects that have no identified funding and would require significant amounts of right of way. The claim by Metro Solutions opponents that the 100 Percent solution plan can reduce congestion depends upon the sudden appearance of this wish list of projects that the federal government currently prohibits local officials from planning and programming, as they have no existing revenue streams to fund such projects.

In conclusion, there is no need to impede or to derail the Metro Solutions plan. Houston is the only city in the United States that was affected by funding restrictions of H.R. 2989. As a result, the city has been singled out and excluded from the 25 slices of a funding pie worth \$1.2 billion federal dollars. Dallas is slated to receive \$30 million under the act. The referendum vote on Nov. 4 will translate to more needed rail, more buses and more roads with no new taxes. Metro Solutions is a public transportation plan that will serve the public—therefore, the will of the community should supersede any federal special interests. I strongly urge a yes vote on the Metro referendum.

The SPEAKER pro tempore (Mr. PEARCE). Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California address the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### CHILD SAFETY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, before I begin, I want to take a moment to thank the chairman of the Subcommittee on Human Resources of the Committee on Ways and Means, the gentleman from California (Mr. HERGER), for calling a hearing yesterday to examine the failure of our system to protect our children. It was a very, very difficult hearing for those of us who attended to listen to the traumatic and heartbreaking story of four young men in a family, the Jackson family of New Jersey.

As someone who has worked on child protection for my career in the Congress and in the State legislature and as cochairman of the Congressional Missing and Exploited Children's Caucus, I was shocked to hear and to see the photos of these four young men who were suffering at the hands of their adoptive parents. What struck me even more, or at least made me more outrageous, was the fact that the Division of Youth and Family Services from New Jersey had visited the home of this family over 38 times in the past several years.

What did they fail to observe in these visits? For one, they failed to observe a 19-year-old boy who weighed just 45 pounds and was a mere 4 feet tall; a 14-year-old boy who was 3 feet in height and, I believe, less than 40 pounds. Where were they protecting these children?

The fact is, Mr. Speaker, most Americans treat their pets better than New Jersey cared for their children. We heard arguments, which we always do when there is a child tragedy, that, A, we lack resources and funding, we have too many caseloads. Those excuses and finger-pointing and blame-gaming must stop, because they are outrageous accusations suggesting money was at the root of the children's problems. The family received over \$30,000 annually in a subsidy to care for these children from the Federal and State government. \$30,000. There is no excuse that money, or shortage of money, was the reason these children were starved. Thirty-eight visits by a caseworker to this house indicates obviously that they had a routine appearance in the household.

What did they fail to observe? One thing they failed to observe is that there were locks on the doors to the kitchen, not allowing the children to come into this home, into their own kitchen to eat. When you look at the photos, and you have probably seen

these photos if you have picked up any paper in this country because they have been blasted across the headlines of every newspaper in America, including both TV and print journalists.

We have to in this country get a handle on this problem because this is sickening to its core that children that would be in the hands of people would be allowed to be treated so miserably. And regrettably at yesterday's hearing a person, a man of the cloth from the church where the Jackson family attends, actually got up and defended the parents and started to blame the children, suggesting they had eating disorders, that they were violent children. We are talking about 19, 17 and younger than that. I would have accepted some of that argument from this reverend had the family sought medical attention or had the family chosen to return the children to foster care because they were too difficult to care for. But no, they did not do any of that. What they did was cash checks from the welfare system and then fail to feed the children.

Testimony from children's services indicate all of these boys have now had remarkable weight gain in the last several weeks. So the argument put forward by the reverend that these children were eating three square meals a day and they suffered from eating disorders is absolutely false and spurious when you look at the results of the care and feeding under Division of Youth Services of that State.

At the end of the day, and fortunately for the gentleman from California's leadership in calling this hearing, we may get to the bottom of some of these problems, but we must act quickly. We are not talking about overdue library books, we are talking about human life. We are talking about children who are allowed to starve, we are talking about a system that is run amuck, and we are talking about only getting a response when some politician's job is on the line.

It is time to get serious. It is time to get to the job of protecting our children. I only hope that there is never again an example like the Jackson family suffering at the hands of a State agency.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes as the designee of the majority leader.

Mr. BARTLETT of Maryland. Mr. Speaker, on October 14, the Supreme

Court agreed to hear a dispute over the phrase "one Nation under God" in the Pledge of Allegiance. Make no mistake, this lawsuit is another attempt by atheists to exterminate America's religious heritage. Michael Newdow is an atheist who wants the government to adopt his religious views. He argues that his daughter was, in legal terms, injured by having to be exposed to the recitation of the Pledge of Allegiance in school. The underlying idea behind Mr. Newdow's efforts was expressed perfectly by the ancient Greek philosopher Protagoras. He said, "Man is the measure of all things." What this statement means is that human beings, not a God or an unchanging moral law, is the ultimate source of value.

The Declaration of Independence tells us differently. The Declaration tells us exactly what the ultimate source of our laws and liberties are and where they came from. It reads that all men are created equal, endowed by their Creator with certain unalienable rights. Among these are life, liberty and the pursuit of happiness.

There is a central question in this controversy, whether or not public officials in the government itself can acknowledge a higher power than themselves. Can the government acknowledge God or must we agree that man is the measure of all things?

The background on this case is interesting. The child involved in the present suit is not required to recite the Pledge. Mr. Newdow argues that his daughter should not even have to listen to the Pledge. In the factual and procedural background section of *Newdow v. U.S. Congress*, Mr. Newdow argues his daughter is injured when she is compelled to watch and listen as her State-employed teacher in her State-run school leads her classmates in a ritual proclaiming that there is a God and that ours is one Nation under that God. If Mr. Newdow's daughter is injured by listening to the pledge with the words "under God" in it, what about the other students? In the dissenting opinion of *Newdow v. U.S.*, Circuit Judge Fernandez makes the point well.

He says:

I recognize that some people may not feel good about hearing the phrases recited in their presence, but then others might not feel good if they are omitted.

This application of logic to Newdow's argument proves that we need something more to shed light on the constitutionality of the phrase "under God." We must also look to the history of the phrase itself. By doing so, we can shed light on the legitimacy of recognizing God in our government and in our laws.

To shed light on this controversy, it would be helpful to look at the history of the phrase "under God" and the words of the people who helped write our Constitution.

The Pledge of Allegiance was written in 1892 by Francis Bellamy, a Massa-

chusetts educator. Bellamy was planning celebrations to mark Columbus Day and the 400th anniversary of the discovery of America. The Pledge emphasized the permanence of union and the liberty of the people. The Pledge was written only 27 years after the Civil War. The 1892 version of the Pledge read, "I pledge allegiance to my Flag and to the Republic for which it stands, one nation indivisible with liberty and justice for all."

Because of large numbers of immigrants, some thought the reference to "my Flag" might encourage immigrants to retain loyalty to their former country's flag. And so in 1924, the National Flag Conference approved a change in the Pledge. It now in 1924 read, "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation indivisible with liberty and justice for all."

In 1942, Congress codified the pledge into law when it was added to the U.S. Flag Code. This version did not include the words "under God." Again it read, "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation indivisible with liberty and justice for all."

In 1954, Congress inserted the words "under God" into the Pledge of Allegiance. In 1943, Jehovah's Witnesses filed suit and challenged the mandatory recitation of the Pledge.

□ 1315

The Court ruled that governments should not force students to recite the pledge against their will or contrary to their beliefs. Judge Fernandez again from the dissenting opinion in *Newdow v. Congress*. In *West Virginia Board of Education versus Barnett*, for example, the Supreme Court did not say that the pledge could not be recited in the presence of Jehovah Witness children. It merely said that they did not have to recite it. That fully protected their constitutional rights by precluding the government from trenching upon the sphere of intellect and spirit. In the law they concluded the Pledge of Allegiance simply stated that standing was a sign of respect for the Nation and its laws. Public Law 396 states: "However, civilians will always show full respect to the flag when the Pledge is given by merely standing at attention."

In conclusion, students are not forced to say the Pledge of Allegiance. Reciting the Pledge in the presence of students who object to it does not violate the Constitution. Congress's addition of "under God" was only reference to God during that time. In 1955 by unanimous vote, Congress required the U.S. Mint to place the words "In God We Trust" on all of our currency. And over the Speaker's desk on that marble wall are the words "In God We Trust." In 1956 Congress adopts "In God We Trust" as the national motto. Were these enactments by Congress isolated? Not at all. The Nation has long pub-

licly declared its dependence on divine providence.

There are references to our dependence on God in earlier American history. Lincoln's consecration of the Gettysburg speech, in which he said: "It is for us the living rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain, that this Nation under God shall have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the earth."

What did Lincoln mean by saying "this Nation under God"? That the United States is under the protection of God? That we are also under God's judgment, that we must conduct ourselves according to his standards of justice? Lincoln said in his second inaugural address: "... and that He gives to both North and South this terrible war, as the woe due to those for whom the offense" of slavery "came."

Lincoln, by declaring our Nation "under God," seems to be echoing a man even closer to the writing of the Constitution and Declaration of Independence, Thomas Jefferson: "And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are a gift of God? That they are not to be violated but with His wrath? Indeed I tremble for my country when I reflect that God is just, and His justice cannot sleep forever . . ." Thomas Jefferson's wisdom reinforces Mr. Lincoln's assertion stated earlier that the Civil War was divine judgment for slavery. In that sense America is a Nation under God.

Why was America being judged by God during the Civil War? Because slavery was a violation of the principle of equality proclaimed in the Declaration of Independence. Even though slavery was allowed in the Constitution, it was still a violation of another of Jefferson's principles. In his first inaugural address, Jefferson said: "All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable." Was slavery reasonable? No, Jefferson said. "All eyes are opening to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God."

Lincoln and Jefferson reinforced each other's arguments, that the United States is a Nation under God's judgment and protection, that our rights

come from God and that no violation of our God-given rights can be tolerated.

Can we go back further to see if God is mentioned in any other documents around the founding era? Yes. The Declaration of Independence. We teach the Declaration of Independence in our schools to advance freedom. John Adams said: "Children should be educated and instructed to the principles of freedom." The Declaration also teaches us about Americans' beliefs about God. The Declaration teaches us four things about God: one, He is the author of the laws of nature and nature's God; two, he has endowed us with inalienable rights; three, He is the supreme judge of the world; and, four, he provides the protection of divine providence.

What happens when the Declaration of Independence is taught in public schools? Are they violating the separation of church and State? How preposterous. Do schools that teach the Declaration and its description of God violate the Constitution? The absurdity of the argument of atheists like Mr. Newdow is readily apparent. There are several implications in Mr. Newdow's argument, Mr. Speaker. If the Court rules the Pledge of Allegiance with the words "under God" unconstitutional next summer, what will be next? "God bless America"? Mr. Speaker, what would happen if Congress required the recitation of the preamble to the Declaration every morning instead of the Pledge? The conclusion of the argument atheists make must be the Declaration of Independence violates the Constitution.

We have examined the writings of Thomas Jefferson and Abraham Lincoln. We have examined the Declaration of Independence and the Constitution. We have looked at the history of the phrase "under God." It is obvious that our government has long declared a dependence on God. Acknowledging God as a source of our inalienable rights is what makes our rights secure. Our history, our Declaration, our Constitution teach us several lessons: that God is the source of our rights, that our Nation is under God's judgment and we must act accordingly.

Mr. Speaker, I am an elected official in the Federal legislature. I have mentioned God many times in this speech in the House of Representatives. I hope the Supreme Court will not rule I have violated the Constitution.

Mr. Speaker, the words of the Constitution are very clear, but what is not clear is what our Founding Fathers meant by those words, and that is why the discussion today of whether the words "under God" are appropriate in our Pledge of Allegiance to the flag.

What I would like to do is go back to our Founding Fathers to see what they might advise us could they be resurrected and meet with us today. If we put in the context of the time the Declaration of Independence and the Constitution, we may be better able to understand what they meant by their

words. No one disagrees on what the words are, but there is a big disagreement on what the words mean.

Patrick Henry is called the firebrand of the American Revolution, and every student in school knows what he said: "I know not what course others may take, but as for me, give me liberty or give me death." But I will wager, Mr. Speaker, that if any of the listeners go to the textbooks in their school, they will find no reference to the context in which this statement was made. It was made in a church, St. Johns Church in Richmond on March 23, 1775, and here is more of that statement. He says: "An appeal to arms and the God of Hosts is all that is left us, but we shall not fight our battle alone, there is a just God that presides over the destinies of nations. That battle, sir, is not to the strong alone. Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God. I know not what course others may take, but as for me, give me liberty or give me death."

Do my colleagues think Patrick Henry would tell us that it is not okay to have the phrase "under God" in the Pledge of Allegiance to the flag? Was Patrick Henry a Christian? The following year, in 1776, he wrote this: "It cannot be emphasized too strongly or too often that this great Nation was founded not by religionists but by Christians, not on religions but on the gospel of Jesus Christ. For that reason alone, people of other faiths have been afforded freedom of worship here." Do my colleagues think he would tell us that it is not okay to have "under God" in the Pledge of Allegiance?

Benjamin Franklin, who is frequently referred to by modern-day educators as a deist, that is, a person who believed that there was a God but don't bother praying to Him because He created us and set in place certain physical laws and our destiny is going to be determined by how we relate ourselves to those laws, let me read what Benjamin Franklin said, and then the Members conclude as to whether they think he was an atheist or not. These words were uttered in 1887 when he arose in the Continental Congress in Philadelphia. They were deadlocked, and it was not certain we would have a Constitution. He was, I think, 82 years old, the Governor of Pennsylvania, I think the oldest and probably the most respected member of that convention, and this is what he said: "In the days of our contest with Great Britain when we were sensible of danger, we had daily prayer in this room for divine protection. Our prayers, sir, were heard and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of superintending providence in our favor. To that kind providence, we owe this happy opportunity to establish our Nation. And have we now forgotten that powerful friend? Do we imagine that we no longer need His assistance?" And then these words that I

think are so powerful: "I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth, that God governs in the affairs of men. If a sparrow cannot fall to the ground without His notice, is it probable that a new Nation can rise without His aid?" And then he went on to say that he begged leave to move that henceforth they would begin each of their meetings with prayer. We still do that, Mr. Speaker. We began our session today with prayer.

Do my colleagues think Benjamin Franklin was a deist, and more importantly, do my colleagues think that he would say that it is not okay, that it is not appropriate to have "under God" in the Pledge of Allegiance to the flag?

Thomas Jefferson, the major architect of the Declaration of Independence and the Constitution, also referred to frequently as a deist, and this is what he said: "I am a real Christian. That is to say, a disciple of the doctrines of Jesus. I have little doubt that our whole country will soon be rallied to the unity of our Creator, and I hope to the pure doctrine of Jesus also." Do my colleagues think that Thomas Jefferson, with those convictions, would say that it is not okay to have "under God" in the Pledge of Allegiance to the flag?

George Washington, our first President: "It is impossible to govern the world without God and the Bible. Of all of the dispositions and habits that lead to political prosperity, our religion and morality are the indispensable supporters. Let us with caution indulge this supposition, that is, the notion or idea, that morality can be maintained without religion. Reason and experience both forbid us to expect that our national morality can prevail in exclusion of religious principle."

In his prayer book, he wrote: "O eternal and everlasting God, direct my thoughts, words and work, wash away my sins in the immaculate blood of the lamb, and purge my heart by Thy Holy Spirit. Daily frame me more and more in the likeness of Thy son, Jesus Christ, that living in Thy fear and dying in Thy favor, I may in Thy appointed time obtain the resurrection of the justified unto eternal life. Bless, O Lord, the whole race of mankind and let the world be filled with the knowledge of Thee and Thy son, Jesus Christ." What counsel do my colleagues think George Washington would give us? Would he tell us that it is not okay, that it is not appropriate to have "under God" in the Pledge of Allegiance to the flag?

John Adams, our second President, also President of the American Bible Society: "We have no government armed with the power capable of contending with human passions unbridled by morality and true religion. Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other." Could John Adams possibly have believed that we could not think

that "under God" is appropriate in the Pledge of Allegiance to our flag?

John Jay, our first Supreme Court Justice said: "Providence has given to our people the choice of their rulers, and it is the duty as well as the privilege and interest of our Christian Nation to select and prefer Christians for their rulers." Could John Jay, the first Supreme Court Justice, have imagined that we would think it inappropriate to have "under God" in our Pledge of Allegiance to the flag?

John Quincy Adams, President of the American Bible Society, and he said that his Presidency there he valued more than his Presidency of this country:

□ 1330

"The highest glory of the American Revolution was this. It connected in one indissoluble bond the principles of civil government with the principles of Christianity. From the day of the Declaration," that is, the Declaration of Independence, "they," the fathers, "were bound by the laws of God, which they all acknowledged as their rules of conduct."

What would John Quincy Adams advise us about the appropriateness of the words "under God" in the Pledge of Allegiance to the flag?

And later on in history, Calvin Coolidge, "America seeks no empire built on blood and forces. She cherishes no purpose, save to merit the favor of almighty God."

He later wrote, "The foundations of our society and our government rests so much on the teachings of the Bible that it would be difficult to support them if faith in these doctrines would cease to be practically universal in our country."

Would President Coolidge have believed it inappropriate to have "under God" in our Pledge of Allegiance to the flag?

Let us turn now to our early Supreme Court. For 160 years, every Supreme Court decision in this arena was diametrically opposed to Supreme Court decisions from 1947 on.

In 1947, the Supreme Court did a radical about-face, repudiating the precedents of 160 years. They completely reversed their opinions.

The Supreme Court in 1811, *People v. Ruggles*, *Ruggles* had publicly slandered the Bible. This is what the Supreme Court said. "You have attacked the Bible, and in attacking the Bible you attacked Jesus Christ. In attacking Jesus Christ, you have attacked the roots of our nation. Whatever strikes at the roots of Christianity manifests in the dissolving of our civil government."

By the way, I would like to note that it might be appropriate in today's environment to use the words Judeo-Christian. Those words were apparently not used by our Founding Fathers, but I am sure recognizing the origin of all of these beliefs from the Bible, which is clearly Judeo-Christian, that Judeo-

Christian might be a better way. But I am reading the actual words of our Founding Fathers. Please read Judeo-Christian when they say Christian.

"Why not use the Bible, especially the New Testament? It should be read and taught as the divine revelation in the schools."

This was the comment of the Supreme Court relative to a case relative to a case, *Veta v. Gerrand*, where a woman teacher, a lady teacher, was not using the Bible to teach morality. I have no idea how this got to be a court case and got to the Supreme Court. But this is what they said in 1845. "Why not use the Bible, especially the New Testament. It should be read and taught as the divine revelation in our schools. Where can the purest principles of morality be learned so clearly and so perfectly as from the New Testament?"

Could this Supreme Court possibly have imagined that our court would be considering whether or not "under God" is appropriate in the Pledge of Allegiance to the flag?

In 1892, the Supreme Court said, and this was the Church of the Holy Spirit and they contended that Christianity was not the faith of the people. This is what the Supreme Court said. "Our laws and our institutions must necessarily be based upon and embody the teachings of the Redeemer of Mankind. It is impossible that they should be otherwise, and in this sense and to this extent our civilization and institutions are emphatically Christian. No purpose of action against our religion can be imputed to any legislation, state or national, because this is a religious people. This is historically true. From the discovery of this continent to this present hour, there is a single voice making this affirmation."

Then the justices went on to cite 87 different legal precedents to affirm that America was formed as a Christian nation by believing Christians.

Mr. Speaker, as I have already noted, the Supreme Court in 1947, packed by Franklin Delano Roosevelt from seven to nine, completely repudiated 160 years of precedents when they declared there was a wall of separation between church and state. Those words do not appear in our Constitution, do not appear in the Declaration of Independence, and what we are trying to do today, Mr. Speaker, is to determine what our Founding Fathers meant by that magnificent establishment clause in the First Amendment.

Let us move now to the Congress and see what the Congress of our forefathers might have advised us. March 27, 1854, the Senate Committee on the Judiciary issued a final report on a year study. Humanism and Darwinism was sweeping our country, and the Supreme Court commissioned a year study, and this is what was said in their final report.

"The First Amendment clause speaks against an establishment of religion. The Founding Fathers intended by this amendment to prohibit an establish-

ment of religion such as the Church of England presented or anything like it, but they had no fear or jealousy of religion itself, nor did they wish to see us as an irreligious Nation."

Then, I really love these words. Obviously they were not watching much television when they used this vocabulary. "They did not intend to spread over all the public authorities and the whole public action of the Nation the dead and revolting spectacle of atheistic apathy. Had the people during the Revolution had a suspicion of any attempt to war against Christianity, that revolution would have been strangled in its cradle. At the time of the adoption of the Constitution and the Amendments, the universal sentiment was that Christianity should be encouraged, not just one sect. The object was not to substitute Judaism or Islam or infidelity, but to prevent rivalry among the Christian denominations to the exclusion of others. Christianity must be considered as the foundation on which the whole structure rests. Laws will not have permanence or power without the sanction of religious sentiment, without the firm belief that there is power above us that will reward our virtues and punish our vices."

Would that Congress have indicated that the words "under God" are inappropriate?

"In this age, there can be no substitute of Christianity. By its great principles, the Christian faith is the great conserving element on which we must rely for the purity and permanence of our free institutions."

This is, again, from the Congress.

"That was the religion of our Founding Fathers, of the Republic, and they expect it to remain the religion of their descendants."

Let us look now at what was taught in our schools. By the way, before we leave the Congress, in 1854 there was a resolution, we pass many resolutions in our Congress, they passed a resolution. This is what it said. "The Congress of the United States recommends and approves the Holy Bible for use in our schools."

Would that Congress have indicated it is inappropriate to have "under God" in our Pledge of Allegiance to the flag?

Let us look at our schools, because that reflects the milieu in which our Declaration of Independence and our Constitution was written. For over 200 years, the New England Primer was used, and this is the way it taught the alphabet.

A, a wise son makes a glad father, but a foolish son is heaviness to his mother.

B, better is little with the fear of the Lord than abundance apart from him.

C, come unto Christ all you who are weary and heavily laden.

D, do not the abominable thing, which I hate, sayeth the Lord.

E, except a man be born again, he cannot see the Kingdom of God.

And so it went through all the 26 letters of the alphabet.

Do you think that the society at that time, with that kind of a primer in their schools, would have imagined that we could be debating today whether it was okay to say "under God" in our Pledge of Allegiance to the flag?

The McGuffey Reader, used for over 100 years, it was so successful in getting children to read that a few years ago it was brought back to some of our school districts where children were not learning to read with the hope that there was something magic about the McGuffey Reader.

"The Christian religion is the religion of our country. From it are derived our notions on the character of God, on the great moral governor of the universe. On its doctrines are founded the peculiarities of our free institutions. From no source," and this is all from the author of the McGuffey Reader, "from no source has the author drawn more conspicuously than from the sacred scriptures. For all these extracts from the Bible, I make no apologies."

Do you think that all of those thousands of school children and their families who used the McGuffey Reader could have imagined that we would be debating this subject today?

Of our first 108 schools in this country, 106 were distinctly religious. Harvard University, the first university, named after a beloved New England pastor, John Harvard, this is what they said. "Let every student be plainly instructed and expressly and earnestly pressed to consider well the main end of his life and studies is to know God and Jesus Christ, which is eternal life. John 17:3, and, therefore, to lay Jesus Christ as the only foundation of all sound knowledge and learning."

This was in the student handbook for Harvard University. For over 100 years, more than 50 percent of all Harvard's graduates were pastors.

What have we reaped in our Nation in our departure from recognizing that God is a part of our heritage and it is perfectly appropriate to say "under God" in our Pledge of Allegiance to the flag?

America 100 years ago had the highest literacy rate of any nation on Earth. Today we spend more on education than any nation in the world, and yet since 1987 we have graduated more than 1 million high school students who could not even read their diploma.

We spend more money than any nation in the industrialized world to educate our children, and yet SAT scores fell for 24 straight years before finally leveling off at the bottom in the nineties, and they are not yet coming back up.

In a 1960 survey, 53 percent of America's teenagers had never kissed, and 57 percent said they never necked, that is, to hug and kiss. Ninety-two percent of teenagers in America said they were virgins in 1960. Just 30 years later, 75 percent of American high school students are sexually active by age 18.

In the next 5 years, we spent \$4 billion to educate them on how to be immoral through trumpeting the solution of safe sex, and it worked. One in five teenagers in America today lose their virginity before their 13th birthday, and 19 percent of America's teenagers say they have had more than four sexual partners before graduation.

The result, every day, 2,700 students get pregnant, 1,100 get abortions, 1,200 give birth. Every day another 900 contract a sexually-transmitted disease, many incurable. AIDS infection among high school students climbed 700 percent between 1990 and 1995. We have 3.3 million problem drinkers on our high school campuses, over half a million alcoholics, and on any given weekend in America, 30 percent of the school population spends some time under the influence of alcohol.

Do we really want to take "under God" out of our Pledge of Allegiance to the flag? Should we not be doing something, Mr. Speaker, to reverse these trends in our country, rather to encourage them?

I would like to read now a prayer that was written by an Oklahoma high school student, a little poem written about prayer. "Our New School Prayer."

"Now I sit me down in school  
Where praying is against the rule.  
For this great Nation under God,  
Finds mention of him very odd.

If scripture now the class recites  
It violates the Bill of Rights.  
And any time my head I bow  
Becomes a Federal matter now.

Our hair can be purple, orange, or green,  
That's no offense; it's a freedom scene.  
The law is specific, the law is precise,  
Only prayers spoken out loud are a serious vice.

For praying in a public hall  
May offend someone with no faith at all.  
In silence alone we must meditate,  
God's name is prohibited by the state.

We are allowed to cuss and dress like freaks,  
And pierce our noses, tongues and cheeks.  
They have outlawed guns, but FIRST the Bible,

To quote the Good Book makes me liable.

We can elect a pregnant Senior Queen,  
And the unwed daddy our Senior king.  
It is inappropriate to teach right from wrong,

We are taught that such "judgments" do not belong.

We can get our condoms and birth controls,  
Study witchcraft, vampires and totem poles.  
But the Ten Commandments are not allowed,  
No word of God must reach this crowd.

It is scary here I must confess,  
When chaos reigns the school's a mess.  
So Lord, this silent plea I make,  
Should I be shot, my soul please take."

Our Nation, which used to lead the world in every arena, now leads the world in these areas. We are number one in violent crime, we are number one in divorce, we are number one in teenage pregnancies, we are number one in volunteer abortions, we are number one in illegal drug abuse, and we are number one in the industrialized world for illiteracy.

Do you think, Mr. Speaker, that taking the phrase "under God" out of the

Pledge of Allegiance to the flag is going to lead us in the right direction, or the wrong direction?

Alexis de Tocqueville, and this is really a significant observation, traveled this country, a young Frenchman, for 5 years, and he wrote, "I sought for the key to the greatness and genius of America in her great harbors, her fertile fields and boundless forests, in her rich mines and vast world commerce, in the universal public school system and institutions of learning. I sought for it in her democratic Congress and in her matchless Constitution."

Mr. Speaker, had he visited us today when we represent only one person in 22 in the world, and yet we represent 25 percent of all of the goods and services in the world, one person in 22, somehow we have 25 percent of all the good things in the world, might he have wondered further about how we got there and what was significant?

"But not until I went into the churches of America," he said, "and heard her pulpits flame with righteousness, did I understand the secret of her genius and power." Alexis de Tocqueville, after watching us for 5 years, concluded that the secret of our greatness and power did not lie in any of these great harbors or grain fields or military, not in our matchless Constitution, our Declaration of Independence, but he said, "but not until I went into the churches of America and heard her pulpits flame with righteousness did I understand the secret of her genius and power."

□ 1345

America is great because America is good; and if America ever ceases to be good, America will cease to be great.

Do you think, Mr. Speaker, that taking the words "under God" out of our Pledge of Allegiance to the Flag will make us a better people?

I would like to quote Abraham Lincoln again: "We have been the recipients of the choicest bounties of heaven. We have been preserved these many years in peace and prosperity. We have grown in numbers, wealth, and power as no other Nation has ever grown."

Mr. Lincoln, after 227 years in this great, longest-enduring Republic in the history of the world, these words are even more significant, because relatively today we are a greater Nation among the nations of the world than we were at your time. Thank you, Mr. Lincoln, for your words.

"But we have forgotten God," he says. "We have forgotten the gracious hand which preserved us in peace and multiplied and enriched us, and we have vainly imagined in the deceitfulness of our hearts that all of these blessings were produced by some superior wisdom and virtue of our own. Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming or preserving grace, too proud to pray to the God that made us. It behooves us then to humble ourselves before the offended power to confess our national

sins and to pray for clemency and forgiveness."

Do you think, Mr. Speaker, that Abraham Lincoln would understand why we are even debating in our Supreme Court the appropriateness of the words "under God" in our Pledge of Allegiance to the Flag?

I know that I quoted the words earlier, but I think that we need to hear them again. Abraham Lincoln said: "It is rather for us to be here dedicated to the great task remaining before us than from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here, highly resolved that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom."

Mr. Speaker, I think that we face this discussion today because we would have forgotten from whence we came. Indeed, Mr. Speaker, I do not think that the newest generation has forgotten; I do not think they ever knew, because our textbooks have been bled dry of all of the references to our Christian heritage.

Mr. Speaker, I firmly believe that if the decision of this Supreme Court is grounded in the milieu in which our Declaration of Independence was written and our Constitution was written, they can reach no other conclusion but that the words "under God" in our Pledge of Allegiance to the Flag are completely appropriate, were completely anticipated by those who framed our Constitution, by the Roman Catholic who could not vote in Old Virginia or could not vote in Maryland, Charles Carroll, for whom Carroll County in Maryland is named and Carroll Creek that runs through Frederick City, Charles Keller a major architect of that establishment clause.

They did not mean, Mr. Speaker, that religion was unimportant in our country. What they wanted to accomplish is very clear in the words that they stated: "Make no law concerning the establishment of religion." They did not want the Congress to empower one religion over another so that it could oppress the other religions. Because, Mr. Speaker, our Founding Fathers had come here from countries in the British Isles and in Europe, almost all of which were ruled by a king or an emperor who claimed, and was granted, divine rights. So they came here in our Declaration of Independence saying that all men are created equal.

We read those words, Mr. Speaker, but we do not realize how important they were in that day and time, that all men are created equal. "No emperor or no king created above the others and endowed by their creator." And four times in the Declaration of Independence God is referred to, endowed by their creator with certain unalienable rights. Our Founding Fathers came here to escape two tyrannies, Mr. Speaker. One was the tyranny of the Church and the other was

the tyranny of the Crown. On the continent, the Church was generally the Roman Church. In the British Isles, it was the Episcopal Church, and those countries empowered those Churches so they could if they wished oppress others, and they did.

When our Founding Fathers came here because of their resentment of that oppression in Old Virginia and in colonial Maryland, Roman Catholics could not vote. But when it came time to write the amendments to our Constitution, they recognized how important it was that we provide religious freedom to everybody, so they chose a Roman Catholic to be a major architect of that. It is no coincidence, I think, Mr. Speaker, that in the very first of these amendments, they addressed their concern that all people should be free to worship as they please, that they should empower no religion over another religion. They could not have imagined that we would interpret these words as requiring freedom from religion. They clearly meant them to assure freedom of religion.

I fervently hope, Mr. Speaker, that the Supreme Court reviews in their private meditations the origins of our country, the milieu in which the Declaration of Independence and the Constitution were written, so that they can reach what I think is the only acceptable conclusion, and that is that our Founding Fathers clearly anticipated that a phrase like this would be very appropriate to our heritage and would be very helpful to our people.

Mr. Speaker, it is my prayer that we will not need to come to this Chamber again to talk about this kind of a subject, that the Supreme Court will make a decision that will set to rest the concern about the role of God in our country. No one religion should be empowered so it can oppress the others. But beyond that, all people are free to worship as they please, and religion is not an inappropriate subject in the public domain.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HINCHEY (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. HOOLEY of Oregon (at the request of Ms. PELOSI) for today after noon on account of personal reasons.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today on account of business in the district.

Mr. ORTIZ (at the request of Ms. PELOSI) for November 6 after 4:00 p.m. and today on account of official business.

Mr. WU (at the request of Ms. PELOSI) for today on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legis-

lative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, November 12.

Mr. PENCE, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1066. An act to correct a technical error from Unit T-07 of the John H. Chafee Coastal Barrier Resources System; to the Committee on Resources.

S. 1643. An act to exempt certain coastal barrier property from financial assistance and flood insurance limitations under the Coastal Barriers Resources Act and the National Flood Insurance Act of 1968; to the Committee on Resources and in addition to the Committee on Financial Services for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 1663. An act to replace certain Coastal Barrier Resources System maps; to the Committee on Resources.

#### ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 76. Joint resolution making further continuing appropriations for the fiscal year 2004, and for other purposes.

#### ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until Monday, November 10, 2003, at noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows: